



Office of the Attorney General
State of Texas

June 21, 1995

DAN MORALES
ATTORNEY GENERAL

Mr. James T. Jeffrey, Jr.
Remington & Jeffrey
1306 W. Abram
Arlington, Texas 76013-1711

OR95-422

Dear Mr. Jeffrey:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was originally assigned ID# 31913. It has now been assigned a new identification number, ID# 34139. Please use this number when corresponding with our office.

The requestor, Bob Buckel with the Azle News, seeks "copies of any and all documents relating to the motion on item 7.0) [sic] on the agenda of the Tuesday, February 7, 1995 meeting of the Azle city council." You inform us that no documents exist with the exception of the certified tape of a properly held executive session.¹ The Open Meetings Act, Gov't Code ch. 551, specifically makes confidential certified agendas or tapes of executive sessions. *Id.* § 551.104(c); Open Records Decision No. 495 (1988). Additionally, the Open Records Act does not require a governmental body to prepare new information in response to a request. Open Records Decision Nos. 572 (1990), 555 (1990); 416 (1984) at 5. Therefore, you may withhold the requested information.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination under section 552.301 regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in cursive script, reading "Margaret A. Roll", is written over the typed name.

Margaret A. Roll
Assistant Attorney General
Open Government Section

¹We make no determination here as to whether the executive session was properly held.

MAR/LMM/rho

Ref.: ID# 34139

cc: Mr. Bob Buckel,
Editor and Publisher
Azle News
P.O. Box 1409
Azle, Texas 76020